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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/559,712	04/26/2000	Pratish R. Desai	19223-000510	1620
22434	7590	12/22/2005	EXAMINER	
BEYER WEAVER & THOMAS LLP			WONG, ALLEN C	
P.O. BOX 70250			ART UNIT	
OAKLAND, CA 94612-0250			PAPER NUMBER	

2613

DATE MAILED: 12/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/559,712

Applicant(s)

DESAI, PRATISH R

Examiner

Allen Wong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 October 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 10-20 and 22-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 10-20 and 22-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/14/05 has been entered.

Response to Arguments

1. Applicant's arguments filed 10/14/05 have been fully read and considered but they are not persuasive.

Regarding pages 7-8 of applicant's remarks about claim 1, there is no claim 1 to discuss in this case since claim 1 has already been cancelled. It is under the assumption that applicant is referring to independent claim 10. Applicant argues that DeCarmo provides that all secondary views are entirely dependent on the primary view and therefore cannot respond directly to any navigational commands by a user. First of all, the claim 22 discloses that the first segment or the second segment corresponds to the same one point in time, so, clearly, applicant's invention refers to the primary or secondary view that corresponds at that one point in time, ie. multiple angles. These multiple angles are obtained from that one point in time to obtain first and second segments, presentations or angles, and is taught in DeCarmo, and that Setogawa discloses the display of a desired presentation in fig.12 where a remote control is used

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for user input to directly select the display of one or more of the desired video presentation. Claim 10 does not specifically mention anything about "without designating any as being a primary or a secondary view". Thus, the combination of Setogawa, Watkins and DeCarmo meets the broad limitations of the claims. The examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, it would have been obvious to one of ordinary skill in the art to combine the teachings of Setogawa, Watkins and DeCarmo, as a whole, for permitting the user to view the desired presentations of the DVD in a convenient, synchronized manner, as disclosed in DeCarmo's col.2, ln.17-27.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 10-20 and 22-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Setogawa (6,469,718) and Watkins (6,728,477) in view of DeCarmo (6,415,101).

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Regarding claims 10 and 29, Setogawa discloses an apparatus to play a video, said apparatus comprising:

an input to receive the audio and video datastream, said datastream comprising information for a plurality of different presentations of a video and an associated audio track (fig.13, note element 103 receives the MPEG datastream information, which contains audio and video datastream, from digital video disc 101 with plurality of different presentations, where presentations are the plural camera angles as disclosed in col.6, ln.10-24);

a decoding circuit configured to decode said datastream so as to output a signal for displaying a first presentation of said video and associated audio track (fig.13 is DVD player configuration where the data from DVD 101 is inputted into the system by 103, where a DVD is a video that has a plurality of presentations, and that MPEG video decoder 115 and MPEG audio decoder 116 are used in combination to decode the first presentation of the video, ie. the first angle presentation); and

a receiver configured to receive during use a signal from a user that directly selects which if said first or said second presentation is a indicates a desired presentation to display (fig.12, Setogawa discloses a remote control 92 with buttons for permitting the selection of a plurality of points in time during playback, where the receiver 129 of fig.13 can receive user inputs and permitting the processing of the user's selected input of a point in time where the user wants to see and hear, so the video output, along with corresponding audio output, is sent out to display 90 for

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viewing; also, col.6, ln.10-24 discloses the user's options to select the desired presentation from a plurality of angles).

Although Setogawa does not specifically disclose a selection circuit operable to re-configure said decoding circuit such that said decoding circuit is configured to decode said MPEG datastream so as to output a signal for displaying a second presentation of said video. However, Watkins teaches the use of multiple angles for re-configuring the decoding circuit such that the decoding circuit is configured to decode the MPEG datastream so as to output a signal for displaying a second presentation of the video (see fig.5 and note the DVD 38 is inputted into drive 108 and to DVD interface 110 and the data is decoded at element 112 to decode the multiple MPEG datastreams presentations, where remote control unit 32, via elements 104 and 106, permits the user to select from a multitude of angle presentations as stored in element 114 for displaying a first presentation, ie. display 1, at element 34 and the second presentation, ie. display 2, at element 34). Also, Watkins discloses the display of the second presentation of the video contemporaneous with the first presentation (fig.1, element 34 simultaneously displays the first presentation with the second presentation). Therefore, it would have been obvious to one of ordinary skill in the art to combine the teachings of Setogawa and Watkins, as a whole, for presenting a improved technique of viewing multiple angles and accessing DVD audiovisual content in a more convenient, efficient, precise and robust manner (Watkins col.2, ln.17-34).

Setogawa and Watkins do not specifically disclose wherein the selection circuit reconfigures said decoding circuit such that said decoding circuit decodes said MPEG

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datastream so as to output a signal for displaying the selected presentation only in normal playback mode. However, DeCarmo teaches wherein the selection circuit reconfigures the decoding circuit such that the decoding circuit decodes said MPEG datastream so as to output a signal for displaying the selected presentation only in normal playback mode (col.7, ln.61 to col.8, ln.23, DeCarmo's fig.5 discloses that the selected primary viewing angle or presentation can be seen for playback in only the normal playback mode, on screen element 302, whereas the secondary angle or presentation can also be shown contemporaneous with the primary angle, on screen element 304, and the user can also select the secondary angle or presentation as the primary angle for playback if the user desires to see the alternative angle or presentation). Therefore, it would have been obvious to one of ordinary skill in the art to combine the teachings of Setogawa, Watkins and DeCarmo, as a whole, for permitting the user to view the desired presentations of the DVD in a convenient, synchronized manner (col.2, ln.17-27).

Regarding claim 11, Setogawa discloses a method of selecting from a plurality of an audio/video program having a video portion and an associated audio portion, a desired presentation of the audio/video program, said method comprising:

receiving a datastream comprising information for a plurality of presentations of said audio/video program (fig.13, note element 103 receives the MPEG datastream information from digital video disc 101 with plurality of different presentations, where presentations are the plural camera angles as disclosed in col.6, ln.10-24);

displaying on a display in normal playback mode a segment of a first presentation of said video portion (fig.13 is DVD player configuration where the data from DVD 101 is inputted into the system by 103, where a DVD is a video that has a plurality of presentations, and that MPEG video decoder 115 and MPEG audio decoder 116 are used in combination to decode the first presentation of the video, ie. the first angle presentation); and

permitting a user to select directly either said first presentation or said second presentation as the desired presentation of said audio/video program (fig.12, Setogawa discloses a remote control 92 with buttons for permitting the selection of a plurality of points in time during playback, where the receiver 129 of fig.13 can receive direct user inputs and permitting the processing of the user's selected input of a point in time where the user wants to see and hear, so the video output, along with corresponding audio output, is sent out to display 90 for viewing; also, col.6, ln.10-24 discloses the user's options to select the desired presentation from a plurality of angles).

Setogawa does not specifically disclose displaying on said display in normal playback mode a segment of a second presentation of said video portion. However, Watkins teaches the display, in normal playback mode, a segment of the second presentation of the video (see fig.5 and note the DVD 38 is inputted into drive 108 and to DVD interface 110 and the data is decoded at element 112 to decode the multiple MPEG datastreams presentations, where remote control unit 32, via elements 104 and 106, permits the user to select from a multitude of angle presentations as stored in element 114 for displaying a first presentation, ie. display 1, at element 34 and the

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second presentation, ie. display 2, at element 34; also see fig.1, and note element 34 is a display for displaying angle 1 and 2, ie. first and second presentations, and element 35 shows multiple angles or nine presentations from nine angles). Also, Watkins discloses the display of the second presentation of the video contemporaneous with the first presentation (fig.1, element 34 simultaneously displays the first presentation with the second presentation). Therefore, it would have been obvious to one of ordinary skill in the art to combine the teachings of Setogawa and Watkins, as a whole, for presenting a improved technique of viewing multiple angles and accessing DVD audiovisual content in a more convenient, efficient, precise and robust manner (Watkins col.2, ln.17-34).

Setogawa and Watkins do not specifically disclose displaying the selected presentation only in normal playback mode. However, DeCarmo teaches displaying the selected presentation only in normal playback mode (col.7, ln.61 to col.8, ln.23, DeCarmo's fig.5 discloses that the selected primary viewing angle or presentation can be seen for playback in only the normal playback mode, on screen element 302, whereas the secondary angle or presentation can also be shown contemporaneous with the primary angle, on screen element 304, and the user can also select the secondary angle or presentation as the primary angle for playback if the user desires to see the alternative angle or presentation). Therefore, it would have been obvious to one of ordinary skill in the art to combine the teachings of Setogawa, Watkins and DeCarmo, as a whole, for permitting the user to view the desired presentations of the DVD in a convenient, synchronized manner (col.2, ln.17-27).

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Regarding claim 22, Setogawa discloses a method of permitting a user to select a point in time occurring during playback of an audiovisual (A/V) program from which to initiate displaying said A/V program, said method comprising:

receiving a datastream comprising information for displaying said A/V program (fig.13, note element 103 receives the MPEG datastream information from digital video disc 101 with plurality of different presentations, where presentations are the plural camera angles as disclosed in col.6, ln.10-24);

playing audio of a first segment of said A/V program while displaying video of said first segment of said A/V program wherein said first segment corresponds to a first point in time occurring during normal playback of said A/V program (fig.13 is DVD player configuration where the data from DVD 101 is inputted into the system by 103, where a DVD is a video that has a plurality of presentations, and that MPEG video decoder 115 and MPEG audio decoder 116 are used in combination to decode the first presentation of the video, ie. the first angle presentation); and

selecting directly either said first segment or said second segment corresponding to the point in time from where in said A/V program playback should be initiated (fig.12, Setogawa discloses a remote control 92 with buttons for permitting the selection of a plurality of points in time during playback, where the receiver 129 of fig.13 can receive direct user inputs and permitting the processing of the user's selected input of a point in time where the user wants to see and hear, so the video output, along with corresponding audio output, is sent out to display 90 for viewing; also, col.6, ln.10-24

discloses the user's options to select the desired presentation from a plurality of angles).

Although Setogawa does not specifically disclose playing audio of a second segment of said A/V program while displaying video of said second segment of said A/V program wherein said second segment corresponds to a second point in time occurring during normal playback of said A/V program. However, Watkins teaches playing audio of a second segment of the A/V program while displaying video of the second segment of the A/V program wherein the second segment corresponds to a second point in time occurring during normal playback of the A/V program (see fig.5 and note the DVD 38 is inputted into drive 108 and to DVD interface 110 and the data is decoded at element 112 to decode the multiple MPEG datastreams presentations, where remote control unit 32, via elements 104 and 106, permits the user to select from a multitude of angle presentations as stored in element 114 for displaying a first presentation, ie. display 1, at element 34 and the second presentation, ie. display 2, at element 34; also see fig.1, and note element 34 is a display for displaying angle 1 and 2, ie. first and second presentations, and element 35 shows multiple angles or nine presentations from nine angles). Therefore, it would have been obvious to one of ordinary skill in the art to combine the teachings of Setogawa and Watkins, as a whole, for presenting a improved technique of viewing multiple angles and accessing DVD audiovisual content in a more convenient, efficient, precise and robust manner (Watkins col.2, ln.17-34).

Setogawa and Watkins do not specifically disclose displaying the selected portion of said A/V program only in normal playback mode. However, DeCarmo

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teaches displaying the selected portion of the A/V program only in normal playback mode (col.7, ln.61 to col.8, ln.23, DeCarmo's fig.5 discloses that the selected primary viewing angle or presentation of the DVD (A/V) program can be seen for playback in only the normal playback mode, on screen element 302, whereas the secondary angle or presentation can also be shown contemporaneous with the primary angle, on screen element 304, and the user can also select the secondary angle or presentation as the primary angle for playback if the user desires to see the alternative angle or presentation). Therefore, it would have been obvious to one of ordinary skill in the art to combine the teachings of Setogawa, Watkins and DeCarmo, as a whole, for permitting the user to view the desired presentations of the DVD in a convenient, synchronized manner (col.2, ln.17-27).

Regarding claims 12-16, 18-20 and 23-28, Setogawa discloses the display of the plurality of presentations for the user to choose for viewing into a presentable graphical format on display (fig.13 the user can input the desired selection of the chapter or presentation at a point in time where the user wants to see and hear, so the video output, along with corresponding audio output, is sent out to display 90 for viewing; also, see fig.4, there is a plurality of chapters or presentations that can be selected from the DVD program by the user; and see col.6, ln.32+, col.6, ln10-24, Setogawa discloses viewing from multiple angles).

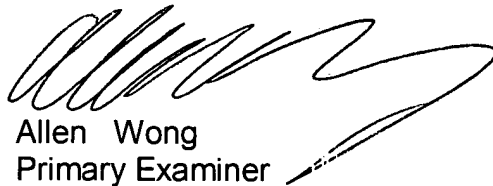
Regarding claim 17, Setogawa discloses the video objects are interleaved as blocks (fig.8-10).

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Allen Wong whose telephone number is (571) 272-7341. The examiner can normally be reached on Mondays to Thursdays from 8am-6pm Flextime.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mehrdad Dastouri can be reached on (571) 272-7418. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Allen Wong
Primary Examiner
Art Unit 2613

AW
12/19/05